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Committee on the Elimination of Discrimination against Women

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States parties

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (British Virgin Islands)

V.89-57757

United Nations Convention on the Elimination of all Forms of Discrimination Against Women -

A Report of the British Virgin Islands

Part I

1. General, Social, Economic, Political and Legal Framework.

A General and Social

1.1 The British Virgin Islands (BVI) comprises over forty islands, fifteen of which are inhabited. These islands lie at approximately latitude 18° 25′ north and longitude 64° 30' west and enjoy a sub-tropical climate with temperature ranging from 65° to 90° F and a mean annual rainfall of 50 inches. The total area of all the islands is fifty -nine square miles, a little less than half of which is of hilly terrain.

1.2 According to a 1980 census, the total population of the BVI was about 11,000. It is believed that at present (1988) it is nearer 14,000. The most populated islands are Tortola, (the capital of the BVI), Virgin Gorda, Anegada and Jost Van Dyke. The 1980 census gave the population of these islands, with the male and female breakdown, as follows:-

	Male	Female
Tortola	4601	4518
Virgin Islands	760	652
Anegada	85	79
Jost Van Dyke	76	58

Historically the BVI has had an impressive past. As in other Caribbean countries, they say Columbus discovered the BVI during his second voyage to the new world in 1493, conferring on the islands the title "Las Virgenes" after the renowned Saint Ursula and her eleven thousand Virgins.

1.3 After that time the history of the BVI was characterized by certain features common to that of other countries in the Caribbean such as slavery, European settlement and rivalry, and one crop economies producing raw materials to trade with Europe in exchange for manufactured goods. Concurrent with and subsequent to these were the struggle for economic and social justice and the creation of legal institutions compatible with the political and social aspirations of the people.

1. Further information may be found in: Issaac Dookhan, A History of The British Virgin Islands 1672 - 1970 (2nd Ed 1975) Caribbean Universities Press; Norwell Harrigan and Pearl Varlack, The Virgin Islands Story 1975 Caribbean University Press; Vernon W. Pickering Early History of the BVI 1983 Falcon Publications International); and Florence Sewison, Tales of Tortola and the BVI 1966.

1.4 The first form of 'civilized' government known to be established in the BVI was by British settlers around 1690 with headquarters based in Virgin Gorda. Just as Tortola (previously known as "Santa Ana" and "land of Turtle Dove") began to show signs of development, due largely to its agricultural possibilities, a native, Lieutenant Governor John Pickering, a man who shared the philosophical views of the Quakers, switched the seat of Government from Virgin Gorda to Tortola in 1741. Around 1774 the first Legislature was established in Road Town, but this Legislature met rarely and when it did little significant or substantial social changes resulted. By the beginning of the 19th century the Legislature became a little more active which resulted in certain constitutional changes. Crown Colony Government was introduced around the middle of the 19th Century to be followed in 1902 by federation with the Leeward Islands. After this federation proved unworkable, the local Legislative Council was re-introduced in the BVI in July 1950 and this Legislative Council has been functioning ever since. The present Constitution of the BVI is contained in the Virgin Islands (Constitution) Order 1976.

B Economic

1.5 At present there are no discovered natural resources of consequence in the BVI. The economy of the country is based on tourism, particularly water oriented tourism and its associated industries. This is supplemented by small scale agriculture and fishing.

1.6 The main exports are rum (blended, bottled and re-exported), fish, gravel and sand, and a few agricultural products. The financial services sector is a fast growing one, with many new trust companies opening in recent years and significant growth in banking deposits. Apart from tourism, government and financial services, economic activity consists mainly of real estate development, construction, retail and wholesale trade, there being virtually no manufacturing sector. The economy appears to performing very well. According to Caribbean Development Bank estimates the BVI experienced a 7% growth in 1987, and the people enjoy one of the highest standard of living in the Caribbean. The per capita income has been estimated at $6000 per person per annum and the Gross Domestic Product for 1988 at current market prices at $126,000,000 (US), the currency presently in use in the BVI.

C Political and Legal Framework

1.7 The Constitution is essentially a Crown Colony Constitution under which the BVI remains a Dependent Territory of Britain with substantial internal self-government. It establishes the office of Governor and Deputy Governor, the former to be appointed, and the latter to be designated, by Her Majesty.

1.8 There is established by the Constitution a Legislature, which consists of Her Majesty and a Legislative Council. The Council consists of the Speaker, the Attorney General who is an ex-officio member, and nine elected members.

There is a cabinet form of government, which is evidenced by the constitutional establishment of an Executive Council. The Executive Council consists of the Governor as Chairman, the Chief Minister, not less than two nor more than three other ministers, and the Attorney-General. The executive authority in the BVI is vested in Her Majesty, but may be exercised on Her behalf by the Governor, who is, by virtue of the Constitution, given special responsibilities for certain areas of government, such as the public service, external affairs, defence and internal security.

1.9 The power to make laws for the peace, order and good government of the islands is given to the Legislature by section 34 of the Constitution. A similar power is separately reserved to Her Majesty by section 71 of the Constitution. All Bills passed by the Legislative Council have to be submitted to the Governor for his assent on behalf of Her Majesty. However, a Bill assented to by the Governor may be disallowed by Her Majesty through a Secretary of State.

1.10 The Virgin Islands Constitution, unlike the constitutions of independent countries, does not establish or create the judiciary. The judiciary is established by Orders in Council and ordinary legislation, and is part of the Eastern Caribbean Supreme Court which has its headquarters in St. Lucia. The structure of the judiciary from the lowest to the highest level is as follows -

The Magistrate's Court, (of summary jurisdiction) the High Court, The Court of Appeal and the Judical Committee of the Privy Council. Since 1983 there is a resident Puisne Judge who is shared with Anguilla.

D Laws of the BVI

The Laws of the BVI consist of:

(a) The Constitution of the BVI;

(b) Statute law as enacted by the BVI Legislature;

(c) Statute law enacted by the U.K. Parliament which applies to the BVI;

(d) Subsidiary legislation such as rules, regulations and by-laws; and

(e) The English common law.

2. Legal and other measures adopted to implement the Convention.

2.1 With the Convention specifically in mind, the Government of the British Virgin Islands in 1986 enacted legislation, namely the Matrimonial Causes (Amendment) Act, 1986. This Act changed the former rule that a wife's domicile must be taken to be that of her husband's. Under this Act the wife has a domicile independent of her husband.

2.2 The Act also repealed previous provisions of the Matrimonial Causes Act which permitted a husband to sue a third party for damages on the ground of adultery, but did not give the wife a similar remedy against the husband.

This amended Act states that no person shall be entitled to claim damages on the ground of adultery, thus renouncing the privilege which was formerly given to the husband but denied to the wife.

3. Institution and Remedies and Means

3.1 In the BVI there is no specific enforcement institution clothed with the sole power to investigate complaints of discrimination and to grant remedies such as the Equal Opportunities Commission set up by the U.K. Sex Discrimination Act 1975. No complaints have ever been made to government about discrimination based on sex and there is therefore no great need for such an institution in this country, given its small population.

3.2 The Legislative Council and the Government are, however, committed towards enacting laws, where and whenever desirable, to provide procedures to remedy any valid complaint of discrimination based on sex.

4. Whether the provisions of the Convention can be invoked before, and directly enforced by, the Courts in the BVI.

4.1 The provisions of the Convention cannot be directly enforced in the Courts, tribunals or other administrative bodies in the BVI. In order to make the Convention directly enforceable in the courts, tribunals and administrative bodies, internal legislation to this effect would be required.

However, it must be noted that there is no law of, or applying in, the BVI which would appear to contravene the Convention. If the existence of any such law should emerge at any time, then the Government is committed to changing it.

Part II

5. Specific Information in Relation to the Convention

Article 1

Discrimination

5.1 The reservations made by the United Kingdom on ratifying the Convention and which are stated at page 38 of the U.K. Initial Report of May 1987 equally apply to the BVI.

Article 2

Elimination of Discrimination

5.2 The United Kingdom's reservations made to article 2 of the Convention and stated at page 42 of the United Kingdom's Initial Report of May 1987 are equally relevant to the BVI, except that none of the enactments referred to in the reservations applies as the law of the BVI.

Article 3

Human Rights and Fundamental Freedoms

5.3 As mentioned above, the BVI is a colony of Britain and therefore does not have an independent Constitution with entrenched fundamental rights.

The Constitution of the BVI does not have within its scope guarantees of fundamental rights, such as freedom from discrimination based on sex or freedom of speech or freedom of movement and so on. The fundamental rights of the BVI are based on the English common law which recognizes the fundamental rights in many written Constitutions. These common law fundamental rights are available equally to both sexes and are equally enforceable in the courts of the BVI.

Article 4

Temporary Measures

5.4 The BVI has not adopted any temporary special measures aimed at accelerating de facto equality between men and women as government is of the view that this is not necessary, there being in the BVI equality of opportunity as between men and women.

Article 5

Elimination of Prejudices and Stereotyped Roles

5.5 The Government's policy towards the media is one of non interference in its day to day management. In fact a large part of the media - newspapers and broadcasting - is in private hands. In these parts of the media women are employed in important positions, one woman being the editor of one of the two local newspapers.

Advertising

5.6 Advertising in the BVI is done in two local newspapers, a radio station and television, all of which are in private hands. There is no code or law in the BVI regulating advertisements such as the UK Sex Discrimination Act 1975 which prohibits the publication of discriminatory advertisements.

5.7 In practice, however, there has not been any advertisement in the local media which can be classified as discrimination based on sex.

Pornography

5.8 The incidence of pornography produced in the Territory is very rare and indeed may be non-existent. But there is legislation which prohibits a certain type of pornography without specific reference to women. Section 30 of the Small Charges Act states, inter alia-

> (2) Any person who writes or draws any indecent word or figure or representation in any public place shall be liable to a fine not exceeding nine dollars and sixty cents.
>
> (3) Any person wilfully -
>
> (a) exposing in any public place any obscene print, picture, photograph or other indecent exhibition;

(b) exposing or causing to be exposed to public view in the window or other part of any shop or other building situated in a public place, any obscene print, picture, photograph or other indecent exhibition;

(c) exposing his person in any public place, or in view thereof,

commits an offence and is liable to imprisonment for three months.

5.9 Statistics are not available as to the incidence of prosecutions under this section, but they are rare indeed.

Article 6

Sexual Exploitation of Women

(a) Prostitution

5.10 A small amount of prostitution is admitted to exist in the BVI, mainly found among the female immigrant population. Section 39 of the Small Charges Act makes prostitution a criminal offence and Section 23 of the Immigration and Passport Act 1977 prohibits entry of any non-belonger known to be a prostitute. Several women have been denied entry on suspicion of intended prostitution, but there have been no recorded cases of prosecution under the Small Charges Act.

(b) Rape

5.11 Rape is a felony in the BVI made punishable for a term of imprisonment amounting to not more than ten years with or without hard labour.

The offence of rape is defined in the common law as having sexual intercourse with a woman without her consent by force, fear or fraud, and sexual intercourse is deemed complete upon proof of penetration only, it being unnecessary to prove the actual emission of seed. Yet there is a presumption at common law, which applies to the BVI, that a boy under the age of 14 years is incapable of actually committing rape even though he may be capable of penetration. It is because of this that some argue that this Common law presumption should be abolished. This argument is highly persuasive, but because the incidence of reported rape is very minimal in the BVI, the Government is not now contemplating abolishing the presumption. But the situation is carefully being monitored and legislative action will be taken if and when necessary.

(c) Abduction and Defilement of Women and Girls

5.12 Indecent assault of women, and abduction and defilement of women and girls, are criminal offences in the BVI. The punishment for these offences is two years' imprisonment.

Article 7

(a) Elective Posts

5.13 Under the Constitution of the BVI women and men have equal rights with respect to voting at national elections and being elected as members of the Legislative Council.

5.14 In the Legislative Council as presently constituted there are no women members, nor has there ever been. During last four general elections women contested, but none was successful.

In the two main political parties of the BVI women do not play very prominient roles. The reason for this may be that traditionally political parties and elections to the Legislative Council have been the sole domain of the man, thus making women reluctant to participate, though there are no legal rules preventing such participation. Another reason is that traditionally women's dominant roles in the home, and their dependence on men as providers, have militated against participation in politics.

5.15 As the trend towards full participation of women in the work force, in business and the professions continues, these traditions are giving way and the climate for women to succeed in political roles is steadily improving.

(b) Employment in the Public Service

5.16 There is no discrimination based on sex in the Government service with respect to employment. As far as conditions of work, promotion and training opportunities are concerned, both men and women are treated equally. In the public service women can be found as Permanent Secretaries in important Ministries of Government and also as the heads of other Government departments. In fact there are, on the whole, more women than men in the senior administrative positions. The exceptions are in the police, prison and fire service which are male dominated. On the other hand, some 90 percent of the teaching and nursing services are female.

(c) Public Appointments

There is no discrimination based on sex in making appointments to public offices in the BVI. Section 52 of the Constitution gives the Governor the power to make appointments to public offices, acting after consultation with the Public Service Commission, the Teaching Service Commission or the Judicial and Legal Service Commission. All of these bodies include women in the membership as a matter of practice. No appointments are made based on the sex of the candidate.

(d) Trade Unions and Non-Governmental Organisations

5.17 There are two registered Trade Unions in the BVI. They are the Electricity Workers Union and the B.V.I. Teachers Union. As far as non-governmental organisations are concerned women are members and play an active role.

5.18 There are some non-governmental community service organisations such as Rotary International which women are not as yet permitted to join. On the other hand, there is a womens' organisation which men are not permitted to join.

Article 8

Diplomatic Service

5.19 The BVI does not have its own diplomatic service.

Article 9

(a) Nationality

5.20 The position as to nationality is as stated in the British Nationality Act 1981 which applies to the BVI.

Therefore the comments made by the United Kingdom in the Initial Report at pages 64and 65 dated May 1987 correctly state the position in the BVI.

(b) Immigration

5.21 Legislative provisions dealing with immigration matters can be found in the Immigration and Passport Act, 1977. As regards entry and permission to remain in the Territory, there is no discrimination in the Act based on sex. In the Constitution there is discrimination in the description of who is deemed to belong to the Territory in that section 2(2)(f) includes a foreign woman married to a belonger but not a man so married. Such a woman also loses her immigration status of belonger on legal separation or divorce.

Article 10

Education

5.22 There is no discrimination in the BVI as far as educational opportunities for male and female are concerned. In practice entry requirements to attend school and other educational institutes are impeccably equal in their scope and both sexes are equally exposed to the same levels of education.

5.23 Table I in the Appendix shows the school population from nursery to university for both male and female.

5.24 There is one area which may need further review. Pregnant teenagers are required to leave school, and no satisfactory public provision for them to complete their schooling has as yet been devised.

There is a commitment on the part of the Government to establish a college for the BVI which would provide tertiary education on an equal basis for both men and women.

5.25 The teaching staff of the school comprises both men and women with the latter, as previously noted, dominating. Up to recently, the Chief Education Officer was a woman (now retired).

Article 11

Social Benefits, Health and Safety at Work

(a) Employment

5.26 Women and men have equal opportunity to obtain employment in both the private sector and Government Service. There is no discrimination as far as employment, is concerned. Table II in the Appendix taken from the 1980 Census shows the occupational status of both men and women in the BVI.

5.27 Discrimination in employment is expressly forbidden by section C4 of the Labour Code Ordinance 1975. This section states, inter alia,

> "C4 (1) No employer shall-
>
> (a) discriminate with respect to any person's hire, tenure, wages, hours or any other condition of work by reason of race, colour, creed, sex, age or political beliefs;".

(b) Social Security

5.28 There is a system of Social Security in the BVI which applies equally to both men and women. The Social Security system provides pecuniary benefits of various kinds to both men and women. The benefits provided are old age benefits, maternity benefits, sickness benefits, survivors' benefits, employment injury benefits, invalidity benefits and funeral grants. Under this system all persons over 15 years but under 65 and gainfully employed in insurable employment are to be insured. The insured persons and their employers are required to make contributions in equal proportions to the social security fund from which the benefits are paid. The whole system is regulated by the Social Security Act 1979.Consideration is being given to introduction of a national health insurance scheme.

(c) Health Services

5.29 The Government provides health services on an equal basis for both men and women. There are also private health services which are available equally to both sexes.

5.30 These services, however, do not provide, at this time, all types of required medical treatment, and those requiring specialised treatment not available locally often obtain such in neighbouring countries usually by referral. The Government is, however, committed to introducing additional health services as soon as it is feasible.

5.31 Legislation relevant to health include the Medical Act (now under revision), the Public Health Act 1976 and the Mental Health Act 1985.

The Medical Act deals mainly with registration procedures for medical personnel and pharmcist. The Mental Health Act makes provision for the treatment and care of the mentally ill. There is no discrimination based on sex in either of these pieces of legislation.

(d) Safety at Work

5.32 The Labour Code (1975) in its Division D provides detailed legislation on the general safety of all persons employed in the workplace. In addition Division E makes provision to regulate the employment of "Women, Childeren and Young Persons". The only clause relating to women is section E10 which states:

> "E10. The Minister may make regulations with respect to-
>
> (a) the cleanliness, freedom from effluvia, overcrowding, ventilation and general sanitary conditions of any workplace or place wherein women, young persons or children are employed;
>
> (b) the maximum hours of employment of women, young persons or children and the times allowed for meals; and
>
> (c) requirements generally designed for better carrying out of the provisions of this Division.".

No regulations have as yet been made under this section.

5.33 Where anyone is injured because of negligence at the place of work, whether man or woman, the Workmens Compensation Act or the common law of tortious liability applies equally and there are equal opportunities for remedies.

Article 12

Health Services on an Equal basis

5.34 Access to health care services is available to everyone regardless of sex as already stated Health care services relating to family are provided free of charge by the Government at its clinics and Family Life Education Unit. Pregnant public officers are granted paid maternity leave of up to 2 months and unpaid leave for a further 2 months for purposes of the pregnancy and postnatal care. (No related leave is provided for men) For the private sector, the Labour Code protects a woman right to have up to three months off from her job for maternity purposes without danger of termination solely on those grounds.

5.35 Adequate nutrition is available in abundance in the BVI for the pregnant mother.

Article 13

(a) Taxation

5.36 The Income Tax Act does generally afford equal treatment to both men and women. Women and men who are not married are treated equally under the Act. However, Section 22 of the Act provides that the income of a married woman living with her husband shall, for the purpose of the Act, be deemed to be the income of the husband and shall be charged in the name of the husband and not in her name nor in that of her trustee.

There is provision for the wife to pay separately, if necessary, her proportion of the taxes charged in the husband's name and married women in the large majority of cases pay their taxes separately.

(b) Sports, Recreational Facilities and Cultural Life

5.37 Sports and recreational facilities are available equally to both men and women. In the school system there are sports officers who pay equal attention to developing the sporting skills of both male and female.

5.38 There is participation in the cultural life of the BVI on an equal basis.

(c) Financial Rights

5.39 Women have the same rights as men to enter into any contracts including contracts with respect to financial matters, such as bank loans, mortgages and other forms of credit.

Article 14

Women in Rural Areas

5.40 Because of the small size and population of the BVI a division into rural and urban is not practicable. Women in the so-called "country" areas have on an equal basis with other women and men access to health and educational facilities, to credit institutions, to community activities and to adequate living conditions. The law in the BVI does not discriminate against women who live in the rural areas.

Indeed social, financial and economic facilities available to women in the main population centres are equally available to women in the rural areas. Clinics are located throughout the Territory and are staffed by trained nurses with regular visits by medical and dental practitioners. Health and family life education is taken around to most areas or reach them by local radio. There is one possible minor difference and it is that the women in the out islands of Anegada, Virgin Gorda and Jost Van Dyke have to travel to Tortola for certain facilities such as surgery and hospital care, but transportation services are readily available.

Article 15

Equality before the law

5.41 Women have equality with men before the law.

Article 16

Marriage and family matters

5.42 There is no discrimination as far as the marriage law is concerned. The minimum age for marriage applies equally to both sexes. The Marriage Act states that any marriage solemnized between persons under 14 years is void, and where either party, not being a widow or widower, is under 21 consent to the marriage is required.

5.43 In all matters of marriage and family, such as the right to choose a spouse, a right to custody of children, a right to own property and the right to have children, the law in the BVI does not discriminate in any way against the woman.

APPENDIX

TABLE I

British Virgin Islands
Table 2.3: Population 15 years and over not attending school (prim/sec)full-time by sex, occupational status, employment status and age group

male

Employment status and age group	occupational status								
	worked for others				has own bus./farm				
	Government (1)	private enter. (2)	private household (3)	unpaid worker (4)	with paid help (5)	without paid help (6)	did no work (7)	not stated (8)	total (9)
British Virgin Islands									
15 to 19 years	32	176	4	2	--	5	50	5	274
20 to 24 years	79	365	11	5	6	9	25	6	506
25 to 29 years	68	409	10	3	12	36	23	6	567
30 to 34 years	69	336	3	2	33	27	12	2	484
35 to 39 years	67	233	3	1	37	26	9	2	378
40 to 44 years	48	126	4	1	22	23	3	3	230
45 to 49 years	32	81	4	1	20	21	7	--	166
50 to 54 years	38	71	7	4	20	32	6	2	180
55 to 59 years	31	62	5	1	20	34	2	4	159
60 to 64 years	18	32	3	--	19	37	--	--	109
65 years and over	24	38	5	4	22	76	3	2	174
not stated	--	1	--	--	--	--	--	--	1
Total	506	1,930	59	24	211	326	140	32	3,228

British Virgin Islands
Table 2.3: Population 15 years and over not attending school (prim/sec)full-time by sex, occupational status, employment status and age group

female

Employment status and age group	occupational status								
	worked for others				has own bus./farm				
	Government (1)	private enter. (2)	private household (3)	unpaid worker (4)	with paid help (5)	without paid help (6)	did no work (7)	not stated (8)	total (9)
British Virgin Islands									
15 to 19 years	23	118	7	--	--	1	48	1	198
20 to 24 years	53	293	32	1	--	2	46	3	430
25 to 29 years	65	270	36	1	7	5	21	3	408
30 to 34 years	61	196	36	3	12	4	15	3	330
35 to 39 years	49	116	24	4	7	7	9	1	217
40 to 44 years	29	86	20	2	10	8	4	2	161
45 to 49 years	16	41	8	1	11	13	4	--	94
50 to 54 years	12	37	7	3	10	7	2	1	19
55 to 59 years	3	21	5	--	7	6	3	--	45
60 to 64 years	5	17	4	--	6	7	3	--	42
65 years and over	4	13	1	1	4	10	1	--	34
not stated	1	--	--	--	--	--	--	-5	6
Total	321	1,203	180	16	74	70	156	19	2,044

TABLE II

British Virgin Islands

Table 5.1: Population attending school full time by sex, type of school/university, major division and single years of age

male

major division and single years of age	type of school/university								
	nsry infant (1)	primary (2)	second or comp. (3)	multi high (4)	other second (5)	univ (6)	other (7)	not stated (8)	total (9)
British Virgin Islands									
under 5 years	52	5	--	--	--	--	--	--	57
5 years	48	61	--	--	--	--	--	--	109
6 years	31	94	--	--	--	--	--	--	125
7 years	26	121	--	--	--	--	--	--	147
8 years	5	118	--	--	--	--	--	--	123
9 years	1	124	1	--	--	--	--	--	126
10 years	--	109	1	--	--	--	--	--	110
11 years	--	97	10	--	--	--	--	--	107
12 years	1	74	42	--	--	--	1	--	118
13 years	--	40	56	--	--	--	--	--	96
14 years	--	19	71	--	1	--	--	--	91
15 years	--	7	65	--	2	--	--	--	74
16 years	--	1	61	--	--	--	1	--	63
17 years	--	--	44	--	--	--	--	--	44
18 years	--	--	20	--	--	--	--	--	20
19 years	--	1	10	--	1	--	--	--	12
20 years and over	--	5	--	--	--	7	2	--	14
not stated	--	1	--	--	--	--	--	--	1
Total	164	877	381	--	4	7	4	--	1,437

British Virgin Islands

Table 5.1: Population attending school full time by sex, type of school/university, major division and single years of age

female

major division and single years of age	type of school/university								
	nsry infant (1)	primary (2)	second or comp. (3)	multi high (4)	other second (5)	univ (6)	other (7)	not stated (8)	total (9)
British Virgin Islands									
under 5 years	48	11	--	--	--	--	--	--	59
5 years	50	50	--	--	--	--	--	--	100
6 years	41	89	1	--	--	--	--	--	131
7 years	18	98	--	--	--	--	--	--	116
8 years	2	130	--	--	--	--	--	--	132
9 years	--	141	--	--	--	--	--	--	141
10 years	--	130	2	--	--	--	--	--	132
11 years	--	96	11	--	--	--	--	--	107
12 years	--	48	63	--	--	--	--	--	111
13 years	--	22	89	--	4	--	3	--	118
14 years	--	9	98	--	3	--	--	--	110
15 years	--	6	87	--	2	--	--	--	95
16 years	--	1	83	--	1	--	--	--	85
17 years	--	1	41	--	2	--	--	--	44
18 years	--	--	17	--	1	--	--	--	18
19 years	--	--	1	--	--	--	--	--	1
20 years and over	--	6	2	--	--	2	1	--	11
not stated	--	--	--	--	--	--	--	--	--
Total	159	838	495	--	13	2	4	--	1,511

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UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
(Falkland Islands)

V.89-57763

THE FALKLANDS ISLANDS

Part I

Introduction

1. For background on the general, social, economic, political and legal framework of the Falkland Islands please refer to the annual report submitted to the Secretary-General of the United Nations by Her Majesty's Government in the United Kingdom, in accordance with the provisions of Article 73(e) of the Charter of the United Nations.

The role and position of women in society in the Falkland Islands

2. The following paragraphs are intended to give a general view. More specific information is given in Part II.

(a) Education

All children, male or female, are required to attend school or be otherwise educated in a manner approved by the Government from the age of 5 years until they attain their fifteenth birthday. In practice, most children receive education provided by the Government from their fourth birthday and many children receive education until their sixteenth birthday or later. The Government positively encourages this. This applies whether the children concerned are male or female. Schools provided by the Government are all co-educational and males and females are educated together in all academic subjects. No formal education at tertiary level is available in the Islands but the Government provides scholarships and assistance for persons to receive tertiary education and professional and business training overseas. This is provided irrespective of the sex of the person concerned, and entirely upon considerations of merit and ability.

(b) Employment Opportunities

Save where physical strength is an attribute required in the performance of a job and where the gender of the applicant is relevant, for reasons of decency women enjoy complete equality of opportunity in all jobs in the Falkland Islands and selection of employees is entirely on the basis of merit and ability. As previously stated, the Falkland Islands are short of labour and for this reason women are positively encouraged to take up employment outside the home. At the time of the 1986 Census, 393 women were in employment. Only 303 women described themselves as housewives (not engaged in work outside the home). Two of the six accountants, the only advertising executive, the only two bakers, one of the two bank managers, two of the forty-eight driver/plant operators, seven of the nine factory workers, eleven of the fifty-nine farmers, three of the nine hoteliers, one of the two lawyers, six of the fifty managers, one of the nine police officers, all four of the radio telephone operators, twenty-one of the thirty-nine school teachers, eighteen of the seventy shepherds, five of the eleven shop keepers, four of the seven telecommunications operators and all nine telephone operators were women. No more up to date statistics are available but it is known that the proportion of women in employment is tending to increase. This has social consequences, not all of them beneficial, and the Government of the Falkland Islands will consider all appropriate measures consistent with its commitment to afford complete equality of opportunity to women.

(c) Business opportunities for women

A number of businesses are already operated by women. Loans and grants are available on a non-discriminatory basis from the Falkland Islands Development Corporation to persons wishing to set up or acquire a business and a number of women have been assisted by "small enterprise grants" to establish part-time businesses, often from the home. Many businesses are undertaken by women in partnership with men. A number of

farms are operated in this way and loans have been made from otficial sources to husband and wife jointly for the acquisition of farms. In other instances businesses are operated by companies in which women are substantial shareholders. In a recent instance, a loan has been made from official sources to a man and woman who are not related to enable them in partnership to acquire and run a hotel.

(d) The Public Service (Civil Service)

Appointment, promotion and remuneration in the Public Service of the Falkland Islands Government is entirely non-discriminatory and there is no obstacle to a woman being appointed to the higher positions in the Public Service. The Government encourages women to enter the Police Force and there are currently three female police officers as against one in 1986.

(e) Rights of women to own and inherit property (including land)

There is no discrimination whatever in relation to the rights of men and women respectively to own and inherit property. Control of a married woman's property does not pass to her husband on marriage and she is free to dispose of it or deal with it as she wishes.

(f) Marriage

The minimum legal age for marriage is 16 years. A person of 16 years or over and under the age of 18 years cannot marry without the permission of his or her parents or guardian or of the court in the absence of permission from the person's parents or legal guardian. This is irrespective of the gender of the person concerned. In the Falkland Islands, marriages are not arranged by the families of the parties as this is totally contrary to custom. Dowry and marriage payments are unknown. Any marriage contracted without the free and full consent of either of the parties is void in

law. The divorce law does not discriminate as to grounds of divorce between men and women. Women are not socially disadvantaged by divorce and persons who have been divorced frequently (and indeed, usually, except if of more advanced years) remarry. In the event of a marital breakdown affecting a family where there are children, the paramount consideration in matters relating to children is the welfare of the children themselves. Neither the husband nor the wife has a prior right to the custody of the children of the marriage.

LEGAL AND OTHER MATTERS ADOPTED TO IMPLEMENT THE CONVENTION

3. No legal or other matters have been adopted with the convention specifically in mind. Attention is however drawn to the provisions of sections 12 and 16 of the Constitution forming part of Chapter 1 of the Constitution: Fundamental rights and freedoms of the individual, which deals with protection from discrimination on grounds of race, sex et cetera. The Government of the Falkland Islands, will continue to be committed to achieving the objectives of the Convention. Such reservations as were made by the United Kingdom on ratifying the Convention are regarded as of equal relevance in the appropriate circumstances of the Falkland Islands to the Falkland Islands themselves.

4. The non-enactment of specific legislation should not be seen as representing any lack of commitment by the Government of the Falkland Islands to the achievement of the objectives of the Convention but rather as being so because the Government of the Falkland Islands, on examination of local factors and circumstances, is satisfied that up to the present time no legislative action related specifically to the Convention has been required, the relevant circumstances of women in the Falkland Islands being, in general terms, set out in the foregoing paragraphs of this Report. The enactment of legislation in the future, if necessary, is not precluded and later paragraphs of this Report reflect present intentions in that respect.

INSTITUTIONS OR AUTHORITIES AND REMEDIES

5. There are no institutions or authorities in the Falkland Islands which have as their specific task to ensure that the principle of equality between men and women is complied with in practice. Indeed, and because of the very small local population, this would be inappropriate. However, if a woman felt that she was treated in a discriminatory manner by any law or by any person acting by vitue of any law in the performance of the functions of the any public office or any public authority she has a right to make a complaint to the Supreme Court which has jurisdiction to entertain that complaint and to make any appropriate order. No such complaint has so far been made and none is, at present, foreseen.

THE MEANS USED TO PROMOTE AND ENSURE FULL DEVELOPMENT AND ADVANCEMENT OF WOMEN

6. In a small community, such as the Falkland Islands, sophisticated means of ensuring the advancement and development of women are probably not appropriate. They are achieveable, in the main, by the adoption of appropriate governmental and official policies. Governmental and official policies which have been adopted are reflected in the factual situation set out in the introductory part of this report. The Falkland Islands Government is undertaking a revision of its laws and, in the context of that revision, consideration will be given to the enactment of legislation equivalent to Part I of the Sexual Discrimination Act 1975 of the United Kingdom and conferring upon the Supreme Court jurisdiction to make an award of damages or other order in appropriate circumstances. Such a law should be seen primarily as preventitive rather than remedial. (The text of Part I of the

Sexual Discrimination Act 1975 is set out in the United Kingdom's Report relative to the United Kingdom of May 1987).

WHETHER THE CONVENTION CAN BE INVOKED BEFORE AND DIRECTLY ENFORCED BY THE COURTS ETC

7. The provisions of the Convention cannot be directly invoked before or directly enforced by the Courts, other tribunals or administrative authorities and need to be implemented by internal laws or administrative regulations in order to be enforced by the authorities concerned. Special reference is made to taxation below but otherwise, no law of or applying in the Falkland Islands would appear to contravene the provisions of the Convention.

PART II

CONSTITUTIONAL, LEGISLATIVE AND ADMINISTRATIVE PROCEEDING PROVISIONS OR OTHER MEASURES IN FORCE.

8. The relevant constitutional provisions have been mentioned above. Other legislative provisions are referred to in the context of Articles of the Convention.

ARTICLE 1

Discrimination

9. The reservations made by the United Kingdom and set out on page 38 of the United Kingdom's initial report (relative to the United Kingdom) of May 1987 are of equal relevance to the Falkland Islands.

ARTICLE 2

10. The reservations made by the United Kingdom on ratification of the Convention and set out on page 42 of the United Kingdom's initial report of May 1987 are of equal relevance to the Falkland Islands, save that none of the legislation specifically referred to in those reservations applies as law of or in the Falkland Islands.

11. The law of the Falkland Islands in relation to sexual offences and prostitution consists of United Kingdom legislation which has been applied to or adopted as law of the Falkland Islands.

ARTICLE 3

Human Rights and Fundamental Freedoms

12. All persons in the Falkland Islands enjoy the fundamental rights and freedoms of the individual set out in the Constitution Order. These provisions reflect the provisions of the International Covenant on Human Rights and are directly enforceable at the suit of the individual before the Supreme Court under the provisions of section 16 of the Falkland Islands Constitution Order 1985. Additionally, and regardless of gender, every individual has such rights as are accorded to an individual at common law.

13. Special provision is made by law in relation to certain defamation of women by the Slander of Women Act 1891 of England, which applies as law of the Falkland Islands. This Act provides that "words spoken and published which impute unchastity or adultery to any woman or girl shall not require special damage to render them actionable. Provided always, that in any action for words spoken and made actionable by this Act, a plaintiff shall

not recover more costs than damages, unless the judge shall certify that there was reasonable ground for bringing the action."

ARTICLE 4

Temporary measures

14. No temporary measures have been adopted in the Falkland Islands and it is believed by the Government that none would be appropriate having regard to the small population and general circumstances of the Falkland Islands.

ARTICLE 5

ELIMINATION OF PREJUDICES AND STEREOTYPED ROLES

15. Except for a small newspaper ("The Penguin News") of which the present editor is a woman and the local broadcasting station there are no local media which could be influenced. Most of the announcers on the local broadcasting station are women but, as in the United Kingdom the government does not interfere with the media except to a minimal extent. Many publications are obtained from overseas, principally the United Kingdom, and video tapes of United Kingdom television programmes and commercially produced video tapes, principally of films, are widely available. These tend to reflect patterns and attitudes of overseas society. A shortage of labour and the increasing tendency for women to continue in employment after marriage has done much to break down traditional attitudes as far as the women's role is concerned. Sheep farming has in the past been a major economic activity in the Falkland Islands and it is the Government's policy that it shall continue to be so. Sheep farming is conducted in "the Camp" (those areas of the Falkland Islands outside Stanley) and has traditionally been regarded as predominantly a male activity.

As is apparent from Table 4 of the 1986 Census Report(Appendix A) (Distribution of Population by age groups and sexes) there is an imbalance between men and women of marriageable age and this is particularly apparent in the Camp. The comparative shortage of women of marriageable age in the local population combined with the increasing economic opportunities for women has undoubtedly contributed to the falling birth rate. Reference is again made to Appendix A.

Advertising

16. Except for the small local newspaper (which carries very little advertising indeed) and paid announcements on the local broadcasting station there is no advertising locally. In practise (although it is not law in the Falkland Islands) the provisions of the Sex Discrimination Act of 1975 of the United Kingdom are complied with in relation to such advertising.

Pornography

17. There is no accepted definition as to what is regarded as "pornography" as the term does not appear in legislation. There are no statistics on the quantity of pornography available, but there is no evidence of any pornographic material being on sale. At a suitable opportunity during the law revision programme the Indecent Displays (Control) Act 1981 and the Cinematograph (Amendment) Act 1982 of the United Kingdom may be adopted so as to apply in the Falkland Islands. This is not regarded as a priority as it would be done merely as a preventative, rather than as a remedial, measure. No relevant problem at present exists.

18. Reference has been made above to video recordings being widely available on the Island. Since video recordings are almost

invariably, if intended for public use, obtained from the United Kingdom where the Video Recordings Act 1984 (referred to in the United Kingdom Report of May 1987) is in force, no purpose is at present seen in the introduction of similar legislation in the Falkland Islands. At a suitable opportunity during the law revision programme it is intended to adopt the Protecton of Children Act 1978 of the United Kingdom which would make it an offence to take, distribute or show indecent photographs of films of persons (whether male or female) under the age of 16, or to possess such material with a view to distributing or showing it.

Maternity as a social function

19. Reference has been made above to concern about the low birth-rate in the Falkland Islands. The Government is giving consideration to the maternity leave entitlements of female public officers. Consideration is also being given to the enactment of legislation as to maternity leave generally.

ARTICLE 6

SEXUAL EXPLOITATION OF WOMEN

20. So far as the Government of the Falkland Islands is aware, there is no prostitution in the Falkland Islands. The Sexual Offences Act 1956 of the United Kingdom (which applies in the Falkland Islands) makes it an offence -

(i) to procure a woman to be come a prostitute;

(ii) to detain a woman against her will in a brothal;

(iii) to permit girls under 13, and between 13 and 16 or mentally subnormal females to use premises for unlawful sexual intercourse;

(iv) to cause or encourage the prostitution of a girl under 16 for whom a person is responsible or of a mentally subnormal woman;

(v) for a man to live on the earnings of prostitution;

(vi) to keep or manage a brothal, or to allow premises to be used as a brothal.

21. A girl aged between 13 and 16 cannot, in law, consent to intercourse. If a man has sexual intercourse with her he is guilty of an offence of unlawful sexual intercourse under the 1956 Act even if she (de facto) consented. However, he has a defence to this charge if he reasonably believed that he was lawfully married to the girl or, if he is under 24 and has not been previously charged with a like offence, that he reasonably believed the girl was 16 or over. There is no similar defence to a charge of unlawful sexual intercourse with a girl under the age of 13.

Rape

22. Section 1 (1) of the Sexual Offences Act 1956 makes it an offence for a man to rape a woman. Section 1 (1) of the Sexual Offences (Amendment) Act 1976 (which also applies in the Falkland Islands) provides that a man commits rape if -

"(a) he has unlawful sexual intercourse with a woman who at the time of the intercourse does not consent to it; and

(b) at that time he knows that she does not consent to the intercourse or he is reckless as to whether she consents to it."

23. Section 1 (2) of the 1976 Act provides that, if a jury in a rape trial has to consider whether a man believes that a woman was consenting to sexual intercourse, "the presence or absence of reasonable grounds for such a belief is a matter to which the jury is to have regard, in connection with any other relevant matters, in considering whether he so believed".

24. The maximum penalty for the offences of rape and attempted rape is life imprisonment. There has only been one reported case of rape in recent years: this was an incident in September 1987 involving the rape of a woman from St Helena by a man from St Helena at a time when they were both civilian employees at the military base at Mount Pleasant, 35 miles from Stanley. The offence was tried before the Supreme Court in November 1987 before a jury, the majority of whom, by chance, were women and the offender was convicted and sentenced to three years imprisonment.

25. The Government recognises that there may be a number of unreported instances of rape because, in spite of the fact that the law provides that the name of the woman concerned may not be published and even if the most stringent precautions are taken to this end, it is perhaps inevitable in a small society that the identity of the woman concerned may become generally known. Given the size of the population, and the close-knit characteristics of the community in the Falkland Islands, it is difficult to devise procedures which would accord greater safeguards for privacy than at present exist.

26. The United Kingdom Home Office circular 25/1983 giving guidance to Chief Officers of the Police on the conduct of rape investigations and the further circular 69/1986 are both known to the Falkland Islands Police Force and so far as is possible, having regard to local circumstances, the Falkland Islands Police Force is guided by them. (The circulars in question are mentioned on page 53 of the Initial Report by the United Kingdom of May

1987 and copies were attached to that Report).

ARTICLE 7

A: Elective Posts

27. The provision of Chapter 3 of the Constitution provide complete equality between men and women as to voting and standing for election as a member of the Legislative Council of the Falkland Islands. Of the eight elected members of Legislative Council one presently is a woman. She was elected at a by-election, standing against two male candidates, for the Stanley Constituency in November 1987. At the 1985 General Election (October 1985) another woman was elected as one of the members for the Stanley Constituency but subsequently resigned her seat when she and her husband acquired a farm, remote from Stanley, in the Camp Constituency.

28. It is clear that there is an imbalance between men and women in the Legislative Council but this is not a field in which the Government can properly intervene. As pointed out above, the Chairman of the only political party (The Desire the Right Party which has been newly formed) is a woman and it can be added here that several of the committee members of that party are women. There are signs, therefore, that women are becoming increasingly involved in the political affairs of the Falkland Islands and this is something that the Government welcomes.

29. Employment in the Public Service. It is the policy of the Governor, who under the Constitution has overall responsibility for appointments and promotions in the Public Service, and universally accepted that all eligible persons will have equal opportunity for employment and advancement in the Public Service on the basis of their ability and qualifications and fitness for the work. Equal pay for like work has existed for many years in

the Public Service. The policies on the age of retirement make no distinction between men and women.

B: Public Appointments

30. Appointments of persons to advisory bodies and bodies to which the Government has the right of appointment are made on the basis of the qualities, abilities and experience of the available candidates and not on a discriminatory basis. No such appointment is made having any regard whatever to the gender of the candidate.

C: Trade Unions and Non Governmental Organisations

31. There is one trade union in the Falkland Islands (the General Workers Union) which women are free to join and do in fact join. Women play a large part in non-governmental organisations, including the Falkland Islands Trust and the Falkland Islands Foundation as well as specifically women's organisations. They are prominent in the management of the local retail Co-operative Society, which has links with the comparable organisation in England.

ARTICLE 9

A: Nationality

32. The position as to nationality is as stated on page 64 - 65 of the initial report of the United Kingdom of May 1987.

B: Immigration

33. The immigration legislation of the Falkland Islands (Immigration Ordinance 1987 and the Rules and Regulations made thereunder)

does not discriminate as between men and women. Section 12 of the Constitution is regarded as preventing such discrimination.

ARTICLE 10

Education

34. Education is compulsory for children between the ages of 5 and 15 years but many attend from the age of 4, and this is positively encouraged by the Government. Some children attend school until the age of 16 years and it is the policy of the Falkland Islands Government to encourage all children so to do, regardless of gender, so that they may be prepared to take, and may sit for, relevant external examinations (General Certificate of Secondary Education of United Kingdom Examination Boards). There are no facilities, at present, for children in the Falkland Islands to be educated in the Falkland Islands to the standard necessary for external examinations at a higher level. It is a primary objective of the Falkland Islands Government to extend the facilities available at the Government's Secondary School as soon as possible so as to enable more courses to be offered locally. It is hoped that a number of these may be extended to a higher level. Funds have been committed for this locally. In the meantime, the Falkland Islands Government encourages all children of sufficient ability and attainment to attend, with assistance out of public funds, a suitable educational establishment in the United Kingdom. Such encouragement is given in relation to children of either sex. All formal education in the Falkland Islands is co-educational with the exception of certain craft classes. It is the policy of the Falkland Islands Government that complete equality of education opportunity shall be offered regardless of gender and it is satisfied that such equality of opportunity at present exists. There are no single sex schools in the Falkland Islands. At the secondary school, boarding facilities in a Government run school hostel are available,

regardless of gender, to children who come from homes remote from Stanley, where the Secondary School is. The Government employs male and female houseparents at that hostel.

35. Teachers are engaged regardless of gender. The Head of the Education Department is a woman, the Education Officer responsible for Education in schools and at remote settlements outside Stanley is a woman and the Head of the Junior School is a woman. The Head of the Senior School is a man.

36. The Government of the Falkland Islands encourages Falkland Islanders to seek further training overseas, where appropriate, and assistance with this is provided in accordance with the candidates ability and regardless of the gender of the person concerned.

ARTICLE 11

EMPLOYMENT, SOCIAL BENEFITS AND HEALTH AND SAFETY AT WORK

37. The Government of the Falkland Islands is committed to the principle of equal opportunities for men and women. It is satisfied that such opportunities at present exist. This may be more because there is an acute shortage of labour in the Falkland Islands than for any other reason but, nevertheless, any prejudice which might have existed in the past has undoubtedly been overridden by this situation. As a result, in an appreciable number of households in Stanley where both husband and wife are in employment, the wife is the major wage earner.

B: Health and Safety at Work

38. The Falkland Islands lacks up to date legislation on Health and Safety at Work. Such legislation is not a major priority for two reasons. The first is that the appropriate mechanisms for monitoring and enforcing such legislation would have to be

provided and their are other priorities for available manpower.

39. The second is that the conditions at workplaces are not such that there is a public perception of any need for such legislation. There is very little industrial employment in the Falkland Islands and the absence of industrial activity has probably meant that the need for such legislation is less pressing than it might otherwise be.

C: The Social Welfare System

40. The Social Welfare System in the Falkland Islands is not very sophisticated. It consists of the Government - provided health and medical service and a welfare officer who is part of the medical department and various voluntary organisations. Additionally a contributory Old Age Pension Scheme exists and Family Allowances are payable by law in respect of children under the age of 16 years. Some employers (including the Government) operate occupational pension schemes.

D: Social Security

41. There is no provision for the payment of unemployment benefit (but then there is no unemployment). Except as stated below, employed persons (whether men or women) are required to make contributions to the Government operated Old Age Pension Scheme. A married woman in employment can choose not to make such a contribution. In that event she will not be entitled to an Old Age Pension in her own right. A higher Old Age Pension is, however, payable to a married man than is payable to an unmarried man. Current rates are £33 per week for a single person, £50 a week for a married couple. A married woman who does not continue contributions after marriage, although she continues to be employed can possibly be disadvantaged if her husband dies before retiring age. She will not be entitled to a retirement pension on she herself reaching retirement age unless she opts on her

husband's death, to make contributions until she reaches that age. In effect, she then takes over her husband's contribution record. If, for any reason, she satisfies the Government that she has insufficient financial resources to meet contributions in this way, the Government will meet the contributions on her behalf. A married woman whose husband dies before reaching retiring age is not entitled to a widow's pension. There can be difficulties too, if a woman and her husband become separated. In such circumstances the husband, on reaching retiring age is only entitled to draw a single man's pension because his entitlement to a married man's pension is dependent on is wife living with him. This could leave the woman without any Old Age Pension. However in November 1987 legislation was enacted enabling the Government to pay a non-contributory single pension to a woman finding herself in such circumstances. The woman would still not be entitled to an Old Age Pension as of right if she were in such circumstances because the Government does not wish to pay a non-contributory retirement pension to a woman whose financial circumstances are such that there is no justification for her subsidy out of public funds. The policy which the Government has, however, agreed to apply is that where there would otherwise be financial distress a non-contributory retirement pension will be paid.

E: Family Benefit

42. A family allowance of £25 per month is payable in respect of all children of the family under sixteen years of age. Where the children form part of a household with their mother this is payable to the mother of the child and not to the father, even if he is part of that household.

F: Personal Services

43. The size of the population in the Falkland Islands and the fairly close-knit nature of the community means that a very sophisticated system of personal social services is neither practical nor necessary. The Government employs a Welfare who affords assistance to women in distress, whether for reasons of family breakdown or otherwise and the Welfare Officer also has responsibilities in relation to the elderly. Partly with the assistance of a generous gift of money from overseas there has recently been constructed and opened adjoining the King Edward the Seventh Memorial Hospital in Stanley some sheltered accommodation for elderly people supervised by a full-time warden. There is also an old persons' day centre in the adjoining hospital which all elderly people in Stanley are able to attend. Voluntary agencies and voluntary helpers provide some amount of assistance in relation to facilities for the elderly and the churches, in particular, regularly visit the elderly in their own homes. Much support, of course, is provided by elderly persons' families and friends. All assistance to the elderly is provided on a non-discriminatory basis. The Government has under consideration the provision of an Old Persons' Home for such elderly persons who, by reason of increasing age or frailty, are incapable of looking after themselves and who have no suitable member of their family able and willing to afford such care as is necessary.

ARTICLE 12

A: Provision of Health Services on an Equal Basis

44. Health care in the Falkland Islands is provided by the Government and available to all regardless of age, sex or nationality. It is inpracticable to provide in the Falkland Islands, because of the size of the population, all kinds of medical treatment which

may be required. In relation to persons who are resident in the Falkland Islands, and regardless of age, sex or nationality the Falkland Islands Government arranges suitable treatment in the United Kingdom with whom a Recriprocal Health Care Arrangement has recently been agreed. All employed persons and self employed persons are required to make contributions of a fixed percentage of remuneration or earnings (the Medical Services Levy) to the Government. No charge is made to resident "consumers" of medical services for medical treatment or for the provision of drugs and medicines. Visitors from overseas (except persons resident in the United Kingdom) are, in general, required to pay for such services, drugs and medicines. No discrimination in those charges is made between men and women.

B: Specific Services for Women

45. The Government is considering the feasibility of introducing national breast cancer screening. Cervical cancer smear testing is availabl . One of the difficulties is to provide satisfactory services of this kind to women resident in areas remote from Stanley, the capital.

46. Family Planning Advice is available, free of charge, from the medical department. This is available nationally.

ARTICLE 13

A: Taxation

47. The reservation made by the United Kingdom in respect of Article 13 is applicable to the Falkland Islands. There is at present no Capital Gains Tax in the Falkland Islands but the Income Tax system in its present form does not, in some respects, afford women equal treatment. Single women and single men are treated equally. A married woman's income however is aggregated with that of her husband for income tax purposes. Even though a

married couple can be asked to be assessed separately in respect of their own incomes, this would not reduce the aggregate amount of tax payable by the married couple. A married man receives a married man's allowance (a permissible deduction from his gross income so as to reduce that portion of it which is liable to income tax). If his wife is in employment he also receives a "wife's earned income allowance". The effect of this, in many cases, can be to reduce the total tax bill below what it would be if the couple were taxed as single individuals and each of them claimed a single person's allowance. In a large proportion of cases, therefore, the special wife's earned income allowance prevents the income tax system having an adverse discriminatory effect. The Government is presently engaged in a review of the whole of the income tax system in the Falkland Islands and it is possible, in the course of the review, that changes will be made so as to prevent any discrimination whatever in respect of a married woman's income adverse to her.

B: The right to family benefits

48. This has been dealt with under Article 11.

C: Financial rights

49. There are no bars on women's rights to bank loans, mortgages or other forms of credit. A women can enter into a contract freely.

D: The right to participate in recreational activities, sports and all aspects of cultural rights

50. Recreation, sports and cultural activities are participated in on a voluntary basis, and women are free to take part in them as they wish. The Falkland Islands Government does not regard the facilities for sports and recreational facilities available for

use by the population of the Falkland Islands as being satisfactory. It is giving consideration to the remedying of this situation and, in accordance with this, plans for a swimming pool in Stanley are quite far advanced and it is hoped that it will be built and available in 1989.

ARTICLE 14

Women in Rural Areas

51. All of the Falkland Islands further than a few miles from Stanley are regarded as "rural areas" for the purposes of this Article. These are the parts of the Falkland Islands usually described locally as "Camp". There there is a limited range of employment opportunities, a lack of housing for rent or purchase, an age and sex imbalance, and difficulties of access to services and facilities. In the more remote settlements the opportunity to meet any number of other people regularly will itself be limited. However, nearly every house in the Camp is equipped with a VHF Radio receiver-transmitter and many women make social contact with each other on a daily basis over the VHF Radio. It is common for persons living in Camp to make social visits to each other, involving quite considerable journeys in terms of time by motor vehicle over the countryside (where there are no regular roads) to other settlements. Each of the larger settlements organises sports and social functions to which the population in Camp is invited.

52. The Government maintains a highly subsidised air service serving thirty-nine air strips in the Camp (that is about one to every 16.5 head of population in the Camp) so that it is possible for a woman to come to Stanley by air for medical services or for shopping trips. Shopping trips, of course, will not consist be for daily food needs but for clothes, consumer durables and luxuries.

ARTICLE 15

53. Women in the Falkland Islands are accorded complete equality with men before the law. This is guaranteed by section 12 of the Constitution and section 12 (8) which contains a reservation in respect of "any discretion relating to the institution, conduct or discontinuance of civil or criminal proceedings in any court that is vested in any person by or under this Constitution or any other law" does not apply so as to prevent a woman, instituting, conducting or discontinuing any civil or criminal proceedings. A woman has exactly the same rights in that respect as a man has. A woman can enter into any contract or sue or be sued on such a contract and be subject to the bankruptcy laws in exactly the same way as a man. She may acquire, own and enjoy any property of any kind in exactly the same way as a man can. There are certain crimes which, of their nature (eg rape) can only be committed by a man (although, in certain circumstances a woman can be guilty of a criminal offence of aiding and abetting such a crime by a man).

54. Article 15 (3) is interpreted as applying to instruments which seek to restrict the legal capacity of women as a group. There are not laws in the Falkland Islands which do this. Article 15 (4) is complied with in relation to the Falkland Islands because section 6 of the Constitution guarantees the freedom of movement of persons irrespective of their gender.

ARTICLE 16

55. The law of the Falkland Islands does not discriminate against women in matters relating to marriage and the family. In all respects women are treated equally with men.

Information transmitted to the Secretary-General of the United Nations by Her Majesty's Government in the United Kingdom, in accordance with the provisions of Article 73(e) of the Charter of the United Nations for the FALKLAND ISLANDS for the year 1987-88

PART I: GENERAL INFORMATION

A. GEOGRAPHY

1. Location

Situated in the South Atlantic, the Falkland Islands lie about 480 miles (882 km) north-east of Cape Horn, between latitudes 51°and 53°South and longitudes 57°and 62°West. The archipelago is separated from the South American mainland by about 300 miles (480 km) of sea.

2. Area

The territory comprises two large islands (East Falkland and West Falkland) and some 700 smaller islands with a total land area of approximately 4,700 square miles (12,173 square kms).

3. Topography

The coastline is deeply indented and affords many good anchorages. There are no inland waters. The surface is generally hilly except in Lafonia, the southern half of East Falkland; the highest points are Mount Usborne (2,312 ft -705m in East Falkland and Mount Adam (2,297 ft - 700m) in West Falkland. Much of the upland is comparatively bare of vegetation and consists of eroded peat, scree and stone runs - 'rivers' of angular quartzite boulders. Because of the climate there are few trees, the natural vegetation being grassland with some species of heath and dwarf shrubs. Bird and marine mammal life - geese, penguins, seabirds and seals - is diverse and relatively unspoiled. There are no native land mammals.

4. Climate

The climate of the Falkland Islands is characterised by a narrow temperature range, strong winds, a fairly low rainfall evenly distributed throughout the year and frequent cloud cover. Snow has been recorded in every month except February, but seldom lies for long.

Climatic figures for Stanley area:

Mean annual temperature 5.6°C (42°F)

Mean annual wind speed 17 knots
Mean annual rainfall 635mm (25 inches)
Annual maximum temperature around 21.1°C (70°F)
Annual minimum temperature around -5.6°C (22°F)
Average annual sunshine 1640 hours

5. Principal Natural Resources

a) Grasslands

Until the establishment of the Falklands Interim Conservation and Management Zone to conserve fish stocks around the Islands the grasslands of the Falkland Islands represented the sole natural resource which proved capable of economic exploitation.

b) Hydrocarbons

The available data do not permit an assessment of whether hydrocarbons exist in the waters around the Falkland Islands. There have been two general seismic surveys of the area. More detailed seismic surveys and, if the findings justify it, exploration drilling, would be necessary before any judgement could be made about the presence of hydrocarbons off the Falklands and their potential value. It is very unlikely that hydrocarbons exist on the Islands themselves.

c) Minerals

There is no evidence that the Falkland Islands contain metalliferrous minerals of economic value. It is possible that there could be suitable graded deposits of silica sand for glass manufacture but such materials would probably need expensive pre-treatment. The only local fuel is low grade peat.

d) Fish

The fishing potential of the waters around the Falkland Islands is considerable. On 1 February 1987, the Falkland Islands Interim Conservation and Management Zone (FICZ) was introduced to protect fish stocks against over-fishing. Vessels fishing inside the zone require a licence from the Falkland Islands Government. Licence fees yielded £12.5 million in 1987 and should yield a similar figures in 1988.

e) Kelp

Growing around the coasts of the Falkland Islands are to be found large quantities of kelp which are suitable for the extraction of alginic acid.

B. HISTORY

1. Early settlement followed formal possession of West Falkland and "all the neighbouring islands", claimed by Commodore John Byron in the name of the British Government in

January 1765. An expedition led by Captain McBride established a settlement at Port Egmont on 8 January 1766. Apart from a period between June 1770, and January 1771, British occupation continued until 1774. British settlement and administration has been continuous for over 150 years, apart from a brief interruption when Argentina illegally occupied the islands during April and June 1982.

2. Life was difficult in the Territory at first but further settlers and fresh capital were gradually attracted to the Islands and in 1846 that part of East Falkland lying south of the isthmus at Darwin was conceded by sale to Samuel Lafone of Montevideo. Lafone, however, did not long continue to farm the property on his own account and in 1851 transferred it to the Falkland Islands Company, which was incorporated by charter in that same year. Since that time the Falkland Islands Company has acquired extensive tracts of land throughout the Islands and carries on business as shipping agents and general merchants in Stanley.

3. The first Legislative Council was set up during Governor Moody's term of office. Ordinary settlers were permitted to participate and played an important part in its deliberations.

4. The early industry of the Territory was exploitation, mainly for their hides, of the wild cattle running freely over East Falkland. These wild cattle were descended from cattle introduced in 1764. They were considered the property of the Crown and their slaughter was subject to licences issues by the Governor.

5. Sheep-farming was first attempted by the brothers Whittington on East Falkland where by the year 1860 a considerable number of sheep were being run. During the succeeding decade a start was also made on West Falkland. Between the years 1870 and 1880 a definite change-over from cattle to sheep took place and subsequently most of the wild cattle were killed off.

6. A period of steady prosperity followed and in 1885 the Territory became self-supporting. Wireless communication with the outside world was opened in 1912.

7. After World War II considerable development took place. The King Edward VII Memorial Hospital was extended, the Secretariat was enlarged, a new Town Hall built and an internal air service was opened.

C. PEOPLE

1. The population of the Falkland Islands is almost entirely British (96% in 1986). The 1986 census showed an ordinarily resident population of 1,916. This excluded contractors and the military garrison, but includes some expatriate staff in

permanent posts. The gradual reduction in population since its peak in 1932 of 2,392 has been reversed. (The 1980 census showed a population of 1,813).

2. The 1986 census showed the population of Stanley to be 1,231, of whom 626 are males and 605 females. The population of camp was 647, of whom 368 are males and 279 females. There remains an imbalance between the sexes in camp and the drift of population towards Stanley has continued. A number of Islanders were temporarily absent from the Falklands on census day.

D. GOVERNMENT

1. The Falkland Islands remains a British Dependent Territory.

The present Constitution, which came into force on 3rd October 1985, is contained in Schedule 1 to the Falkland Islands Constitution Order 1985.

Chapter 1 of the Constitution contains provisions which guarantee the fundamental human rights and which are based on the Universal Declaration of Human Rights. The preamble to that Chapter recites the right of all peoples to self-determination.

2. The main features of the Constitution are as follows:

a) Executive power is vested in the Governor who is obliged to consult Executive Council, except for example on matters that are urgent or unimportant.

The Governor is entitled to act against the advice of the Executive Council but when he does must give a report including his reasons for so doing to the Secretary of State.

The Executive Council consists of the Chief Executive and Financial Secretary, ex officio, and three elected members nominated by the elected members of Legislative Council.

The Governor who summons meetings of the Executive Council and normally presides at such meetings, is not a member of the Executive Council.

The Governor appoints to and removes from public office and exercises disciplinary control over public officers but the Constitution provides that in doing so he shall consult such persons or authority as may be prescribed by Ordinance. No ordinance has been promulgated.

b) The Legislative Council consists of eight elected members and the Chief Executive and Financial Secretary as ex officio members. The Governor presides at

meetings but is not a member and has no vote. Neither do ex officio members have a vote nor the Attorney General who has the right to take part in proceedings of the Council with the consent of the person presiding.

The Governor has power, with the advice and consent of his Legislative Council, to make laws. He also has power to refuse to assent to a Bill passed by the Legislative Council. He also has power to force through legislation if he considers it expedient. Except in the case of urgency he will not exercise this power without prior instructions from the Secretary of State.

The Secretary of State has power to disallow laws but it is envisaged that this power will be rarely exercised. The classes of laws which, except in cases of urgency, require the approval of the Secretary of State are now listed in Annex A to the Constitution. The list includes Bills relating to the public service, vesting ownership of minerals in the Crown, allowing holders of public offices to stand for the Legislature, and Bills determining and regulating the privileges, immunities and powers of members of the Legislature.

The Governor convenes meetings of the Legislative Council which must meet at least every twelve months. Each member is able to introduce Bills or propose motions which may be passed byu a simple majority. However, Bills, motions and petitions which provide for increases in taxes and public expenditure or would alter pensions, the salary, allowances or conditions of service of public officers require the recommendation of the Governor before they can proceed in Legislative Council.

c) Elections of Legislative Council members are by universal adult suffrage. There are two constituencies, Stanley and all the area outside Stanley known as Camp. Each constituency in which they are resident provided they have been resident in the Falkland Islands for the qualifying period. In the case of persons born in the Falkland Islands the period is 12 months up to the qualifying day. In the case of persons not born in the Falkland Islands the period is also 12 months but such persons must also have resided in the Falkland Islands for an aggregate period of five years.

d) The judicial and legal system remains unaltered. Provision for the Supreme Court and Court of Appeal including the appointment of the security of tenure of office of judges is contained in Chapter VIII of the Constitution.

3. No change.

4. As stated in 1 above, the new Constitution came into force on 3rd October 1985. A copy of the new Constitution was supplied with the report for 1984-85.

PART II: ECONOMIC CONDITIONS

A. GENERAL

1. The inhabitants of the Falkland Islands are principally occupied in sheep farming, the whole area of the territory being devoted to that activity. Recent subdivision of large properties has resulted in a mixture of large and small farms and a doubling of the number of holdings. Wool is the principal product and some hides are also exported.

Following the liberation of the Islands in June 1982, Lord Shackleton, KG, PC, OBE was invited to update his 1976 'Economic Survey of the Falkland Islands'. The subsequent 'Falkland Islands Economic Study 1982' was presented to the British Parliament by the Prime Minister in September 1982 and many of its recommendations were subsequently accepted. A fund of £31 million was voted to assist the development process, of which approximately £21 million are already ear-marked for infrastructure projects (roads, jetty, water and electricity supplies, sewerage, telephone systems and airport buildings). Legislation was passed in the Falkland Islands Legislative Council on 22 April 1983 for the establishment of a Falkland Islands Development Corporation (FIDC), as proposed by the Shackleton Report.

The Agricultural Research Centre which was founded in 1975 continues scientific research with a view to the introduction of improved farming systems in the Islands. It is principally funded by the Overseas Development Administration and staffed at expert level by expatriates. The future work programme has been revieved and re-organised in anticipation of the Falkland Islands Government assuming responsibility for the Centre from 1 July 1988.

2. FIDC advises the Falkland Islands Government, and thereby enables the views of the Islanders to be taken into account in reaching decisions concerning general economic development.

3. In the immediate aftermath of hostilities, a war damage compensation scheme was established to recompense claimants for damage to property, stock and equipment suffered as a result of the war. Over £3 million was distributed under this scheme. In addition the British Parliament voted a rehabilitation fund of £15 million, all of which has now been committed. A grant of 300,000 ecus emergency aid from the European Development Fund (EDF) was awarded to the Falkland Islands. The European Community has also agreed to make available, under EDF IV, 407,000 ecus by way of a special loan for development finance.

B. AGRICULTURE AND LIVESTOCK

1. Agricultural Department

The Agricultural Department consists of:

One officer in charge
One veterinary officer
One assistant
One labourer

The essential agricultural ordinances are being upheld by members of the Falkland Islands Governmental organisation.

Agricultural Department Budget for 1986-87 - £65,000.

2. The Falkland Islands comprise treeless grasslands and moorlands with rocky hills rising to about 705 m above sea-level.

a) Almost all the land is covered in natural pastures of low nutritional value. There are small areas of introduced pastures. Small amounts of hay are made for horses and milk cows.

b) The land is devoted for the most part to ranching to produce wool. There are ordinances to prevent the importation and spread of plant and animal diseases. Statistics of stock numbers and wool produced are supplied annually by farmers in accordance with the Livestock Ordinance. Expansion and improvement of agriculture and its practice are encouraged by the Falkland Islands Government.

c) i. All land is owned by private individuals, companies or the Falkland Islands Government.

ii. Prior to British settlement, the Falkland Islands had no indigenous population.

iii. Land is held either as a freehold or as a leasehold and the laws governing land tenure are similar to those of England.

iv. Land may be tenanted, but there is no fixed system of tenancy.

v. The Falkland Islands Government is acquiring farms and sub-dividing them into smaller units and thus encouraging the evolution of a farming system based upon owner occupation. The process of acquisition and sub-division resulted from recommendations made in the Economic Survey of the Falkland Islands, produced in 1976 under the

Chairmanship of Lord Shackleton. It will continue at a pace commensurate with the level of demand for land among the Islanders. In addition some landowners are offering land to individuals in "family sized" units for purchase or share farming.

d) All land is settled.

3. a) No field crops are grown.

b) No change.

4. a) i. Farming Statistics - See Appendix I (Farming Statistics for 1986-87)) New version attached

ii. Livestock Products - See Appendix I (Farming Statistics for 1986-87).)

b) i. Dipping programmes have eradicated sheep external parasites in the past and a scheme to eradicate Brucella ovis is being pursued. Imported animals are quarantined.

ii. There is potential for stock improvement through careful selection, the introduction of new genetic material; and the encouragement of new and improved sheep farming practices.

iii. Pasture improvement is being pursued through detailed research and the provision of such information to the sheep farmer.

5. There is no agricultural indebtedness other than Falkland Islands Government loans to persons buying small farms for owner occupation in the scheme at 2(c)v. The recent introduction of a commercial bank has provided more facilities for more borrowing for agricultural purposes.

6. a) The Falkland Islands Government has provided loans to some farms to encourage expansion of these businesses. It is planned to expand this facility both from Falkland Islands Government and private sources.

b) The private sector provides all the services.

c) A fencing grants scheme was implemented several years ago, but has since been replaced by a much expanded agricultural support programme under the Falkland Islands Development Corporation's "Land Development Scheme". Agricultural machinery, equipment, seeds and fertilizers are covered in this scheme.

d) There are negligible levels of plant and animal pests and diseases. Current import control policy attempts

to maintain this status.

7. a) The Agricultural Research Centre (ARC) carries out research into the plants and animals of the Islands with a view to synthesising improved systems of production. The Centre is staffed by eleven expatriate scientific officers including the team leader, and five locally employed support staff, of whom two are shared with the Falkland Islands Agriculture Department

b) A firm scientific base for agricultural development is being accumulated and new systems of production are evolving. Results from both agronomy and animal production trials are leading to specific recommendations on land and stock improvement.

c) The ARC works closely with and provides technical advice to the Falkland Islands Development Corporation, in relation to the land development scheme. Technical advice relating to the administration of agricultural policy is provided to the Falkland Islands Government as required.

8. a) The ARC is responsible for agricultural extension in the Islands and deals with specific requests for advice.

b) The centre is currently developing a multi-disciplinary approach based on a number of selected contact farms. ARC specialists in agronomy, sheep husbandry and animal health contribute on technical mattes with supporting farm business management advice provided by an agricultural economist (shared with FIDC).

c) This policy is specially intended to provide support for, the new land-holders who are farming as a result of the land sub-division policy and land development scheme.

9. Not applicable.

C. FORESTRY

1. There are no indigenous trees, and no forestry industry. A forestry adviser visited the Islands in September 1983. His recommendations for trial plantings and their monitoring indicate that between 15 and 20 years of investigation are required to ascertain the viability of tree planting in the Falkland Islands. At present no funds are available for this purpose.

D. FISHERIES

1. On 29 October 1986, the British Government declared that from 1 February 1987, a Falkland Islands Interim Conservation

radius of 150 miles and is policed by two fisheries patrol vessels and a surveillance aircraft. The British Government have made it clear on several occasions that their preference remains for a multilateral solution to the question of the South West Atlantic Fishery, and they have offered to discuss with Argentina how conservation arrangements could be coordinated.

2. The FICZ involves a licensing regime whereby the number of fishing vessels, and therefore the total catching effort, is limited on the basis on the conservation of the fish stocks. There are now some 200 vessels licensed to fish in the FICZ, compared with the 600 operating in 1986 when there was no formal regulation, merely a series of voluntary restraint agreements with a few of the fishing nations. To administer the FICZ, a Department of Fisheries was set up. One of its most important tasks is the collection of scientific data about the fishery, so as to ensure that future levels of fishing remain compatible with the needs of conservation.

3. In the financial year 1987/88 licence fees yielded approx £15 million. Further income is derived from trans-shipment fees and Joint Ventures between Stanley Fisheries Limited (a subsidiary of the Falkland Islands Development Corporation) and a number of fishing companies. Much of this income is likely to be used to finance fisheries related development in the Islands.

E. MINING AND MINERAL OILS

1. The area may have some oil yielding potential, although the enormous development costs and the unpredictable weather conditions are likely to limit the interest of oil companies in exploiting whatever resources might exist.

F. POWER

1. Power demand grows at approximately 15% to 20% per annum and in this year it is anticipated that it will rise to perhaps 2.8 megawatts. Additional generation capacity is programmed for the power station and the Falkland Islands Government is currently installing equipment to raise the station's maximum output to 4.7 megawatts.

2. The Government-owned power station installed at the Fox Bay East settlement consists of one 40kw and three 112kw diesel driven generators.

3. Throughout the rest of the Islands, power is generated by small engined generators. Interest is growing in the use of wind and river driven generators. A 10kw wind generator was installed on Pebble Island in 1987. Interest in solar energy is growing with small units powering electric fences.

G. INDUSTRY

1. The FIDC is responsible for the development of industry and handicrafts.

2. Statistics of industrial production in respect of:

a) Food processing - A small crab processing unit was established during 1985 in Stanley, and has now completed a period of trial production. This plant is now operating on a regular basis.

A bakery has been established in Stanley.

b) Metals - A small metal working business capable of repairing and refurbishing machinery has been established.

c) Textiles - a Woollen Mill has been established at Fox Bay Village on West Falkland. This processes wool from its raw state to finished garments.

d) Chemicals - there is no industrial production of chemicals in the Falkland Islands. However, the University of Stirling is undertaking a trial project on behalf of FIDC to establish the feasibility of producing feed stuffs from trash fish.

e) Other manufacturing industries - there are no other manufacturing industries in the Falkland Islands.

f) Other industries - FIDC has assisted in the formation of a number of small businesses, including an electrical contractor, a garage, a retailing co-operative and restaurant/bar.

g) Tourism - Falkland Islands Tourism, a subsidiary of the FIDC was set up in 1985 to promote the Islands as a tourist destination. The FIDC has financed the construction of a new tourist lodge on Sealion Island and assisted the establishment of tourist lodges at Port Howard, Pebble Island and San Salvador.

3. All the industrial plants described above are owned and operated by Falkland Islanders.

4. Handicrafts

a) Chief types: handicrafts are mainly based on wool/sheepskin products. There is a small industry based on polished stones and paintings, drawings and prints are also produced.

b) Forms of assistance: grants and loans at concessionary interest rates are available from FIDC. FIDC also

purchases equity and can make hire purchase arrangements.

c) Forms of labour: most craft industries are based on home production. The wool mill at Fox Bay utilizes both men and women on a full-time basis.

5. Industrial Development

a) Diversification of the economy, import substitution, added value to the Islands exports and the provision of local services are the aim of FIDC.

It is the view of FIDC that only the establishment of businesses that utilize the natural resources of the Islands and hence have sound commercial reason for locating in the Falkland Islands should be encouraged.

H. TRANSPORT AND COMMUNICATIONS

1. a) The total length of roads in the Islands is increasing slowly and on recent measurement has reached 184 km on East Falkland and 20 km on West Falkland. The length of fully surfaced road of bitumen or concrete remains small, the remainder being stone macadam roads. Construction continues and roadworks are receiving increased priority to the extent that the supply of labour allows.

b) There are no railways.

c) Government operates an internal civil air service using three twin engined Islander aircraft. They carry passengers, mail and medical patients between thirty eight settlements and Stanley on non-scheduled flights. Government have since February 1987 operated a Dornier twin engined aircraft in the surveillance of the Falkland Islands Conservation and Management Zone . A new airport at Mount Pleasant was opened on 12 May 1985 capable of taking wide-bodied jets. Work on the airport facilities is now complete. There are flights to and from the UK twice a week.

d) There are no inland waterways.

e) There is a shipping service between the United Kingdom and the Falkland Islands with cargo vessels arriving approximately every six weeks.

Inter-Island sea transport is effected by two small cargo vessels, one of 229 tons and one of 144 tons. These are operated by a local shipping company.

2. a) Airmail is via Ascension Island. Its frequency is variable, up to three times weekly. Postal rates are

as follows:

Ordinary letters to all parts of the world	22p per oz
Airmail letters to all parts of the world	29p per ½oz
Air letter forms small	24p
large	26p
Small packets or printed paper	17p per ½oz

b) There is a Government owned and operated telephone system in Stanley, also an extensive radio/telephone network throughout the Islands. An international service, first established in 1968, has now been extended to a full 24 hour a day service.

c) An international telegraph service is open from 0800 to 2200 hours local time each day. An international telex service is available at all times.

d) The Falkland Islands Broadcasting Service is a non-commercial daily radio service offering 24 hours of programming daily on short wave, medium wave and FM. It is financed jointly by the Falkland Islands Government and the British Forces Broadcasting Service, which is the radio division of the Services Sound and Vision Corporation of Great Britain.

3. It is intended to modernise the telephone system in Stanley, and to extend the system to the Camp.

I. PUBLIC FINANCE

1. a) The territory's financial year runs from 1 July to 30 June. The Annual Estimates of Revenue and Expenditure are set out in two parts - Ordinary and Development - and show in considerable detail the source of revenue and its proposed application. The Estimates are prepared by the Financial Secretary and approved by the Legislative Council and the Secretary of State for Foreign and Commonwealth Affairs. Supplementary expenditure when required is approved by the Standing Finance Committee (comprised of all elected members of the Legislature), subject to formal covering approval of the Legislature and the Secretary of State for Foreign and Commonwealth Affairs.

2. See Annual Abstract Account for the year 1986-87. (Appendix X).

3. See Statement of Assets and Liabilities at 30 June 1987 attached. (Appendix XI).

4. Taxation - Income Tax and Companies Tax.

The following company tax rates have effect from 1st January 1988 (applicable to 1987 income):

Company tax rates - on chargeable income which is not transferred to reserves, 45 per cent

on chargeable income which is transferred to reserves, 35 per cent

if chargeable income is transferred to reserves, and so charged at 35 per cent, but then subsequently distributed to shareholders, the company shall then be liable to be additionally taxed at 10 per cent on the sum distributed.

Personal income tax is levied on chargeable income (the balance of income remaining after deductions) at the following rates:

The first £10000 of chargeable income	25%
the next £5000 of chargeable income	30%
the next £10000 of chargeable income	40%
remainder	50%

The more important personal allowances are:

10 per cent earned income relief (calculated on total earned income before deductions)	
Personal deduction	£2500
Deduction for wife	£1500
Wife's earned income relief	£2500 (maximum)
Female relative in charge of children	£800
Dependent relative (whose total income is not more than £1700)	£800
Old Age Relief - taxpayer must be 60 years of age or over) on 1.1.88 with a total income of not more than £5000	Married - two thirds of the difference between total income and £5000.
Insurance premium or pension fund contribution	up to one-sixth of total income after deducting earned income relief.

Double taxation agreements are in force with:

United Kingdom
Switzerland
Denmark

J. BANKING AND CREDIT

1. a) Both British and local coinage is used, together with local currency notes of values £20, £10, £5 and £1.

b) The Standard Chartered Bank of the United Kingdom opened a branch in Stanley in December 1983. It provides a full range of banking facilities.

c) The Government lends money for purchasing houses.

d) Balance of payments and control of foreign exchange:

Imports) not
Domestic exports) available
Re-exports)

K. INTERNATIONAL TRADE

1. Exports 1986 1987

Wool	£1,979,000	Figures not available
Skins	£23,625	
Total	£2,002,625	

Imports during the year ended 31 December 1986

Value of imports		1987
Food	546,713	Figures
Beverages and Tobacco	471,566	not
Crude Materials - inedible	155,941	available
Mineral fuels, lubicrants, etc	178,581	
Animal and vegetable oils and fats	17,748	
Chemical products	66,934	
Manufactured goods	1,789,458	
Machinery and transport equipment	1,442,791	
Miscellaneous manufactured articles	472,204	
TOTAL	£5,141,936	

2. a) Imports: Duties payable during the 1987-88 financial year were:

		88/89
Beer	15p per litre	15p
Wines, inc champagne	38p per litre	38p
Fortified wines - sherry, Vermouth	46p per litre	46p
Spirits	£5.81 per litre	£5.81
Tobacco	£15.33 per kilo	£19.93
Cigarettes	£16.86 per kilo	£21.92
Cigars	£23.32 per kilo	£30.32

PART III: SOCIAL CONDITIONS

A. GENERAL

1. The population of the Falkland Islands is small and of almost entirely British descent. There have been no complaints of discrimination on the basis of race or religion. There are likewise no problems of cultural relations.

B. HUMAN RIGHTS

1. The Falkland Islands observe the universal principles of human rights contained in the Universal Declaration of Human Rights. Further, the United Kingdom has extended the International Covenants on Civil and Political Rights and an Economic Social and Cultural Rights to the Islands, and observes the regular reporting procedures under these instruments.

a) Legal Principles and Procedures

As in the United Kingdom, the International Covenants do not in themselves have the force of law in the Falkland Islands. However, the rights provided for in the International Covenants are protected by the Constitution and the provision of safeguards within the laws applying to the Falkland Islands, distinct from, but in conformity with, the Covenants. These legal rules concerning human rights and freedoms are not embodied in any one legislative instrument. The Common Law of the Falkland Islands derives from that of England (and the Common Law of England down to 1900 applies to the Falkland Islands).

b) Basic Legislation and its Application

For the reasons given above a complete list of basic legislation would be too lengthy to give here, but some examples may be cited:-

The right to life is recognised and protected by the Constitution and the laws. The death penalty has been abolished, except for treason and crimes of piracy involving violence (there have never been any cases of such crimes), as it has in England. The Bill of Rights of 1688, the Offences Against the Person Act 1861, the Sentences of Death (Expectant Mothers) Act 1931, the Children and Young Persons Act 1933 and the Murder (Abolition of Death Penalty) Act 1965 have been applied by local legislation.

The rights of liberty of the person and freedom from arbitrary arrest are jealously guarded. The remedy of habeas corpus is rigorously observed and any person

detailed must be brought before a court within 24 hours or bailed immediately. The same rights of action for damages for false imprisonment are available in the Falkland Islands as in England.

Slavery or servitude do not exist in the Falkland Islands. The Slave Trade Act of 1834 has been extended to the Falkland Islands.

The principle of criminal law that an accused person is presumed innocent until proven guilty is provided for in the Constitution. The guilt of the accused person must be proven beyond reasonable doubt.

c) Anti-discrimination legislation

The Constitution forbids the enactment of laws that are discriminatory.

C. STATUS OF WOMEN

1. There is no discrimination on the basis of sex in the implementation of Articles 2 and 3 of the International Covenant on Civil and Political Rights.

D. LABOUR AND EMPLOYMENT

1. The labour policy is based on the payment of a fair day's wage for a fair day's work with due regard to the cost of necessities.

2. The Sheepowners' Association Ltd has been incorporated and it is recognised both by the Government and the employers as an authoritative body. The Falkland Islands General Employees Union is registered under the Trade Unions and Trade Disputes Ordinance (Cap 73). It has the character of a general workers' union and is an affiliate of the International Confederation of Free Trade Unions.

3. In Stanley on 1.1.88 handymen were paid at the rate of £97.60 and £108.40 per week (according to ability); labourers (aged 18 and over) at the rate of £95.20 per week; skilled labourers (ie Plant Operators and Fitters Grade II) from £98.80 to £109.60 per week; and tradesmen at £119.20 per week. The number of hours of work per week is 40.

In the "Camp", general labourers over 18 years of age received a minimum monthly wage of £283.21 and foremen £303.03. Shepherds living in settlements received £333.04 while those living outside settlements received £351.95 per month. In addition a Cost of Living Adjustment, reviewed regularly and adjusted accordingly, was paid to all employees. Labourers and shepherds also received free quarters, fuel, meat and milk.

Extra bonuses are paid for shearing, while labourers and

shepherds are able to add to their earnings by engaging in contract work such as fencing and peat cutting. 40 hours weekly is worked with Saturdays and Sundays as rest days. Employees in the "Camp" are given 21 days annual holidays which includes 9 public holidays.

4. There is no unemployment and a number of St Helenian workers are employed on short term contracts to fill essential vacancies.

5. See 2. above.

6. Disputes are usually settled by direct negotiation but if this fails legal machinery exists for the matter to be settled by arbitration.

7. Workers' recreation, sports, cinema, etc, are catered for in Stanley and the farm settlements.

8. Various Government Departments and certain other employers in Stanley, have apprenticeship schemes for training the limited number of craftsmen required. An apprenticeship Board was formed in 1955 to standardise forms of indenture and to concern itself with the welfare of apprentices.

9. Labour (Advisory Board) Ordinance (Cap 34)
Labour (Minimum Wage) Ordinance (Cap 35)
Shipworkers' Protection Ordinance (Cap 64)
Trade Disputes (Arbitration) Ordinance (Cap 72)
Trade Unions and Trade Disputes Ordinance (Cap 73)
Workmen's Compensation Ordinance 1960 (1/60)
Workmen's Compensation (Amendment) Ordinance 1965 (11/65)
Workmen's Compensation (Amendment) Ordinance4 1973 (14/73)
Employment of Children Ordinance 1966 (1/66)
Ionising Radiations (Protection of Workers) Ordinance 1966 (11/66)
Employment of Women, Young Persons & Children Ordinance 1967 (1/67)
Ionising Radiations (Protection of Workers)(Amendment) Ordinance 1967 (2/67)
Employment of Women, Young Persons & Children (Amendment) Ordinance 1968 (11/68)
Employment of Children (Amendment) Ordinance 1968 (13/68)
Employment of Women, Young Persons & Children (Amendment) Ordinance 1978 (7/78)
Workmen's Compensation (Amendment) Ordinance 1981 (10/81)

E. CO-OPERATIVE SOCIETIES

1. A Co-operative Societies Ordinance was enacted in 1985. There is flourishing retail co-operative (The Stanley Co-operative Society) registered under that Ordinance and Falkland Farmers Limited, a farming supplies co-operative, initially established with Government assistance and owned entirely by its members is also registered under that Ordinance

and appears to be trading successfully.

2. The local Government has fostered arrangements whereby a large farm holding in overseas ownership is now owned and managed on a co-operative basis by a number of Falkland Islanders.

F. STANDARD OF LIVING

1. An Index of Retail Prices (showing those prevailing at 31 December 1987), and the corresponding prices in 1971) is attached (See Appendix XII).

2. Survey carried out on 12 random families, for a three-month period. All domestic expenditure and consumption statistically recorded during the survey period.

3. The Cost of Living is measured by means of the index of retail prices and the relative importance in the family budget indicated by the 'weight' element applied to each item or group.

The Index of Retail Prices is reviewed quarterly.

4. The estimates of Falkland Islands National Income at current prices for 1983 to 1987 are as follows:

	1983	1984	1985	1986	1987 *1
National Income	£6,370,000	£8,010,000	£8,980,000	£9,550,000	£30,200,000 *2
National Income Per Head	£3,420	£4,260	£4,730	£4,980	£15,000

Notes

* 1. Projected

* 2. Includes £7.2 million for Stanley Fisheries and the Joint Ventures controlled by it and £12 million of revenue from fishing licences.

G. TOWN AND RURAL PLANNING AND HOUSING

1. Housing development under the British Government and other sponsors is complete. Construction continues on behalf of the Islands Government and there is much increased progress in the private sector. Growth at about 12% continues, but is not expected to rise significantly beyond this figure.

2. A Town Planning Committee has been changed to the Building Committee with increased delegated powers to approve and make recommendations on building and planning matters. The Government has adopted UK Building Regulations as the guidelines for housing construction.

3. Not applicable.

4. The majority of the houses in Stanley are privately owned. The Government owns a number which are rented to Government employees and other residents of Stanley. The Government has been selling its large stock of older houses but currently the Government house percentage has increased although the majority are still privately owned.

H. SOCIAL SECURITY AND WELFARE

1. a) Medical and dental treatment and drugs are free to the residents of the Falklands, but all employed persons are required to pay a medical service levy of 1 per cent of salary. An employer pays 1.5 per cent of the salary of each employee. Self-employed persons contribute 1.5 per cent of their net profit.

b) There is no unemployment.

c) Workmen's Compensation Ordinances apply.

d) Old Age Pensions Schemes both contributory and non-contributory are in existence.

e) A high standard of maternity service is operated, but there is no maternity grant/benefit scheme.

2. One full-time Social Worker is employed by the Medical Department to co-ordinate all social welfare functions.

3. a) Ante-natal clinics are held weekly and child welfare clinics twice a month at the hospital in Stanley.

b) Almost non-existent.

c) and d) Poor relief is administered by the Falkland Islands Government to necessitous cases. Actual expenditure on social welfare for 1986-87 amounted to £178,480. The 1988-89 estimate for the social welfare vote £268,200.

e) The problem does not arise.

f) Activities are co-ordinated by the Social Worker, the Churches and several voluntary groups.

I. PREVENTION OF CRIME AND TREATMENT OF OFFENDERS

1. See Appendix V.

2. a) Prison population

The prison population continues to be at a daily average of less than two.

b) Special correctional institutions

None.

c) Prison discipline

As in the United Kingdom.

d) Systems of remission etc

1) Remissions as in UK.

2) Prisoners are not paid for labour but the local government has recently introduced a system whereby all prisoners serving a prison sentence receive a weekly allowance to enable them to purchase personal items.

3) Prisoners are mainly employed on maintenance and rehabilitation of the prison, although when circumstances warrant they can be employed on peat cutting for the elderly etc.

4) Aftercare of prisoners is not a formalised procedure but the social worker, priest and employer do maintain a watching brief.

e) Additional information

By the Prison ordinance a Board of Visitors is established which is required to visit the prison regularly. These visits take place and both formal and informal reports are made by the Board of Visitors to the local Government. Members of the Board of Visitors speak privately to prisoners and prisoners thus have a private opportunity to complain concerning any aspect of their treatment or to make representations about any aspect of prison life.

J. PUBLIC HEALTH

1. The Falkland Islands Medical Department is responsible for the public health of the territory and is also responsible jointly with the Public Works Department for its sanitation. A board of health of which the Chief Medical Officer and the Medical Officers are members, deals with public health problems as they arise. The military Environmental Health Officer also sits on the board. The Chief Medical Officer is responsible for advising Government on basic health policy.

2. There is no private system of medical care. The Government Medical Department employs the following professional staff:

a)	REGISTERED MEDICAL PRACTITIONERS	6-2 MILITARY 4 CIVILIAN
b)	REGISTERED NURSES	18-8 MILITARY 10 CIVILIAN
c)	MIDWIVES	6 CIVILIAN
d)	UNTRAINED NURSING AUXILIARIES	8 CIVILIAN
e)	SANITARY INSPECTORS	1 MILITARY
f)	LABORATORY AND X-RAY TECHNICIANS	2 MILITARY 1 CIVILIAN
g)	DENTAL SURGEONS	1 CIVILIAN 1 MILITARY
h)	PHARMACISTS	1 MILITARY

3. The total expenditure of the Medical Department on all aspects of health care and public health is as follows (cost estimates 1986-87):

a)	Recurrent expenditure	£470,720.00
b)	Special expenditure	£7,390.00

4. The new joint civilian/military hospital was completed, at a cost of some thirteen million pounds, in 1987 and became fully operational in August of that year. It was formally opened on the 8th of December 1987. It serves both the civilian and the military population of the Islands and houses 24 acute beds, two intensive care beds and two maternity beds. Its facilities include an operating theatre suite, a pathology laboratory, an X-ray department, and a casualty/resusitation department. The civilian medical service provides primary care to the Falkland Islanders, to some military personnel, and to the crews of the fishing fleets around the Islands. It also provides a flying doctor service to outlying farm settlements. Secondary care to the civilian, military and fishing population is provided by the military surgeon, anaesthetist, and operating team at the hospital.

While the department's work is mainly of a therapeutic nature, it also ensures the routine vaccination of all children against diptheria, whooping cough, tetanus and polio. Regular routine bacteriological screening of the Stanley water supply is also carried out.

Also carried out in Stanley and the Camp are:-

IMMUNISATION PROGRAMME
ANTENATAL VISITING
CANCER SCREENING

EYE TESTING
HYDATID SCREENING
PAEDIATRIC SCREENING

5. a) The qualifications required for the registration of Medical Practitioners, dentists and nurses are those which would be required for equivalent registration in the United Kingdom.

b) A nurse training programme for auxiliary nurses has recently begun.

6. Vital health statistics for 1986 are as follows:

TOTAL BIRTHS	18
DEATHS UNDER ONE YEAR	NIL
TOTAL DEATHS WITHIN CIVILIAN POPULATION	18
DEATH RATE PER 1000 POPULATION	9

(figures based on registered information).

7. The general health of the territory compares favourably with that of any western developed country. Influenzal illnesses are common. Hypertension in men is less commonly seen than in western countries, but bronchial asthma is as prevalent as in western Europe.

8. The principal causes of death are carcinoma and respiratory infections of the aged.

9. a) and b) The sewage system has now been restored following war damage. The water supply system has also been restored since the war, and a new water treatment plant is under development.

c) The Board of Health inspect local businesses selling food.

d) Hydatid control. Dogs are treated with Droncit and not allowed to eat offal. There is a rigid system of offal disposal. A population survey to establish the prevalence of hydatid disease by blood test is planned in 1988.

e) Routine antenatal visits and all deliveries booked into hospital in Stanley.

PART IV: EDUCATIONAL CONDITIONS

A. GENERAL

1. Education is compulsory for all children between the ages of five and fifteen years and encouraged for children in their fifth year and their sixteenth year. Government bears the costs of all materials, books and equipment. All Government employed teachers are fully trained to UK or New Zealand standards.

Outside Stanley attendance at settlement schools is compulsory for children who live within two miles of the school and lodging allowances may be paid for weekly boarding for others who live further away. Settlement schools may be owned by the farms, who employ experienced but untrained teachers; all materials and an annual subsidy are provided by Government. Most education in Camp is provided by the Government service of two settlement schools, radio lessons from 3 centres, correspondence materials and the work of the travelling teachers, who are primary trained. There is no formal education at senior level in Camp, and, from approximately the age of 10, children are encouraged to move into Stanley to board in the School Hostels, or with relations, in preparation for Senior School.

2. Senior School offers courses leading to GCE 'O' level and is phasing in GCSE courses. Further education is offered at Peter Symonds Sixth Form College, Winchester, Hampshire, UK. At present such education is financed by British Government, which also makes available bursaries for tertiary training, but arrangements are now being made for costs to be borne by Falkland Islands Government.

B. EDUCATIONAL ADMINISTRATION

1. a) The educational system of the Territory is the responsibility of the Chief Education Officer, who is an officer of the Falkland Islands Government. She is advised by the Education Committee of the Legislature.

   b) and c) There are no schools where the curriculum and the supply of didatic materials are not the responsibility of the Chief Education Officer. In most cases, however, the school buildings in farm settlements are supplied by the farming companies, who also employ the teachers in the school, helped by Falkland Islands Government subsidies.

   d) There is a Parent-Teacher Association for the primary school in Stanley.

   e) All schools are open to inspection by the Chief Education Officer and the medical officers.

2. a) £839,540 (estimated expenditure 1987/88) from Colony funds. This sum excludes moneys set aside for building.

b) £35,350 (from Colony funds 1987/88) on school materials for Stanley Schools and Hostel and Camp education.

c) 4% (estimated ordinary expenditure 1987/88).

d) £46,220 on overseas training. £293,840 on provision of teachers.

e) and f) Nil.

C. STRUCTURE OF THE EDUCATIONAL SYSTEM

1. The educational system in the Falkland Islands serves children living in Stanley and children living in Camp, (the rural areas outside Stanley).

In Stanley there are two schools, working to British standards, which between them cater for children between the ages of 4 to 15, (and beyond in the case of those children who opt to remain at school over the statutory leaving age in order to sit public examinations). All instruction in these schools, and throughout the Islands, is given in English, there being no other language in common use. As the children are in the main of British stock, the need to make special provision for racial minorities does not arise. Text books are obtained from the United Kingdom.

There are no special schools, universities or other institutions of higher education in the Falklands. Students who need further education are usually sent to appropriate institutions in the United Kingdom. At present financial assistance is provided by the UK government, but Falkland Islands Government is now taking over financial responsibility. A few pupils attend independent schools at Sixth Form level in the UK at parental expense.

In the rural areas of the Falklands, known collectively as "Camp", there are approximately 68 children of shcool age living in up to twenty-seven scattered farm settlements. In the largest of these settlements, Goose Green, and in Fox Bay East, the Government supplies qualified teachers, and in three others there are farm employed teachers, none of whom has formal qualifications. Other settlements are visited on a regular basis by qualified Government itinerant teachers. Equipment, materials and support for the settlement schools and the intinerant teaching staff are provided by the Camp Education Office which has a staff of three experienced teachers. They are also responsible for curriculum development, in co-operation with the staff of the Stanley Schools, and for radio tuition of pupils at times when they are not being visited by itinerent teachers. Radio tuition of isolated pupils is also conducted by Government teachers at the Fox Bay East and Goose Green Radio

Schools.

The main emphasis of the service to Camp is on the teaching of children in the infant and junior age range (5-11). Government maintains a boarding hostel in Stanley to accommodate older children during term time in order that they may attend Stanley Senior School and the upper classes of the Junior School. There is accommodation for up to 85 children.

2. See Appendix VII.

D. ADULT EDUCATION

1. Evening classes in a range of subjects have been held for adults in Stanley during the winter months. All books and materials are free; no charge is made for tuition. Subjects offered depend on the teachers available, but the service is expanding and will become more formal.

E. SCHOOL BUILDING AND EQUIPMENT

1. The main schools are the Senior and Junior Schools in Stanley. A new school in Goose Green for up to 35 pupils was opened in 1984.

2. Stanley Infant and Junior School, which was built in 1955, is in fair condition and well equipped but overcrowded. In 1968 a prefabricated Stanley Senior School, which was rebuilt in 1971/2 following destruction by fire, is proving increasingly inadequate. The Government has reserved £7,000,000 for a new Senior School, now approaching planning stage.

F. YOUTH ORGANISATIONS

1. Youth organisations include Cubs, Scouts and Venture Scouts and the Stanley Youth Club. These organisations are not run under the direction of the Education authority.

2. A wide-ranging programme of extra-cirricular activities is organised for the children of both Stanley schools.

G. CULTURAL INSTITUTIONS

1. There is a good Public Library in Stanley and a circulating library service for those outside the capital. Each school has its own library. A permanent museum is being re-established.

H. PROTECTION OF NATURE: FLORA AND FAUNA

1. There is local legislation for the protection of most birds and certain mammals, but not for the protection of any plants. Legislation has been enacted to establish certain islands as Wildlife Sanctuaries and Wildlife Reserves. The export of wildlife is controlled by legislation.

2. The Falkland Islands Foundation, based in the UK, and the local Falkland Islands Trust, are concerned with conservation in the Islands with the support and encouragement of the Falkland Islands Government. Close liaison is maintained with the military on conservation matters as they affect or are affected by the garrison.

I. INFORMATION ON EDUCATIONAL DEVELOPMENT

1. a) There is increasing and, in some respects, intense, interest in education in the Falkland Islands. Development has brought many more opportunities within Government service, in business, in tourism and in agriculture, all of which demonstrate the relevance of qualifications, and of academic or practical training.

b) Government has responded to public interest by greatly increasing the budget of the Education Department and reserving funds for new building. The schools work to British standards and results in public examinations, (CSE and 'O' level) have been equal or above UK average. GCSE is being introduced and discussion of the need to raise the compulsory school leaving age has begun.

J. MASS COMMUNICATIONS

1. One fortnightly periodical is published in the Falkland Islands in addition to the Official Gazette. There is a local broadcasting station for the dissemination of news, education and entertainment.

2. Although there is no television station in the Falklands, there has recently been a considerable increase in the ownership of video machines and television monitors, and four local traders now offer video tape material for hire.

3. In addition, schools in Stanley and in Campe make use of British educational television programmes, which are recorded for them under licence by the audio-visual department of an English teacher-training establishment.